

**STERN
SHAPIRO
WEISSBERG
& GARIN LLP**
attorneys at law

RECEIVED

AUG 12 2013

OFFICE OF THE REGIONAL ADMINISTRATOR

Max D. Stern
Jonathan Shapiro
Lynn G. Weissberg
Patricia Garin
Martin E. Levin
Nora J. Chorover
Jeffrey P. Wiesner
Alexandra H. Deal
Paul S. Sennott
Kathryn Beaumont
John Cushman

Of Counsel
John Taylor Williams
David L. Kelston

August 8, 2013

BY CERTIFIED MAIL

CT Corporation System
Registered Agent for
UFP Belchertown, LLC
155 Federal Street, Suite 700
Boston, MA 02110

CT Corporation System
Registered Agent for
UFP Northeast, LLC
155 Federal Street, Suite 700
Boston, MA 02110

Certified mail # 7011 1150 0000 0301 2631

Certified mail # 7011 1150 0000 0301 2648

Robert Lees
Registered Agent for
Universal Forest Products Eastern Division, Inc.
155 Bay Road
Belchertown, MA 01007

Certified mail # 7011 1150 0000 0301 2655

Re: 60-Day Notice of Violations and Intent to File Suit Regarding Noncompliance
with Federal Clean Water Act's Industrial Stormwater Discharge Requirements:
155 Bay Road, Belchertown MA

Dear Sirs:

This office represents Clean Water Action, a national non-profit citizens' organization working for prevention of pollution in the nation's waters, protection of natural resources, creation of environmentally-safe jobs and businesses, and empowerment of people to make democracy work. Clean Water Action has over one million members nationally, more than 50,000 of whom reside in Massachusetts.

UFP Belchertown, LLC submitted a Notice of Intent ("NOI") to be covered by EPA's reissued Multi-Sector General Permit for Stormwater Discharges Associated with Industrial

Activity ("General Permit") on March 1, 2010.¹ Clean Water Action has reason to believe that UFP Belchertown, LLC is owned and operated by UFP Northeast, LLC, and that these companies are controlled and/or operated by Universal Forest Products Eastern Division, Inc. These three companies are collectively referred to herein as "UFP". UFP has violated and continues to violate the Permit's terms and conditions. Stormwater discharged from the facility has consistently exceeded EPA's benchmark limits for copper and total suspended solids by several orders of magnitude over the last three years and monitoring results have also shown excessive levels of chemical oxygen demand. The company has not taken appropriate action to reduce these pollutants in its stormwater, and has not consistently complied with the applicable monitoring and reporting requirements.

We write to give notice that Clean Water Action intends to file a civil action in the United States District Court for the District of Massachusetts under section 505 of the Federal Clean Water Act (the "Act") against UFP. The subject of the action will be UFP's unlawful discharge of stormwater from its timber products facility at 155 Bay Road, Belchertown (the "Facility"). The Facility is more fully described in paragraph C(3) and (4) of UFP's March 1, 2010 Notice of Intent Form, which is attached as Exhibit A hereto. Stormwater runoff from the Facility is discharged into Batchelor Brook, a waterway in the Connecticut River watershed.

BACKGROUND

Activities that take place at industrial facilities, such as material handling and storage, are often exposed to the weather. As runoff from rain or snowmelt comes into contact with these materials, it picks up pollutants and transports them to nearby rivers, lakes, or coastal waters and tributaries thereto, including but not limited to storm sewer systems, wetlands, and other surface waters. Stormwater pollution is a significant source of water quality problems for the nation's waters.

The following are *some* of the activities, pollutant sources and pollutants that are or may be present with UFP's timber products processes:

Activity	Pollutant Source	Pollutant
Log storage and handling	Exposure of lumber to precipitation	Bark and wood debris, total suspended solids (TSS), and leachates (which can contain high levels of TSS and biochemical

¹ The General Permit was first issued in 1995 and was reissued in 2000 and 2008. The 2008 Permit does not include significant changes to relevant provisions. See 60 Fed. Reg. 50804 (Sept. 29, 1995); 65 Fed. Reg. 64746 (Oct. 30, 2000); 73 Fed. Reg. 56572 (Sept. 29, 2008).

		oxygen demand (BOD))
Untreated lumber and residue generation activities and untreated wood materials storage	Exposure of lumber and residues to precipitation	Bark and wood debris, TSS, and leachates (which can contain high levels of TSS and BOD)
Wood surface protection activities and chemicals and surface protected materials storage	Spills from surface protection areas and storage and mixing tank areas; treated wood drippage, transport, and storage; and fugitive emissions from spraying	Chemicals (used for surface protection), BOD, chemical oxygen demand (COD), and TSS
Wood preservation activities and chemicals and preserved wood material storage	Drippage after pressurized treatment; washing after preservation: spills and leaks from process equipment and preservative tanks; fugitive emissions; and kick-back	Chemicals (specific toxics dependent on the preserving formulations used), BOD, TSS, oil, and grease
Wood assembly/fabrication activities and final fabricated wood product storage	Exposure of lumber, residues, and vehicles/equipment to precipitation	BOD, TSS, oil, and grease
Equipment/vehicle maintenance, repair, and storage	Parts cleaning	Solvents, oil, heavy metals, acid/alkaline wastes
	Waste disposal of oily rags, oil and gas filters, batteries, coolants, degreasers	Oil, heavy metals, solvents, acids
	Fluid replacement including hydraulic fluid, oil, transmission fluid, radiator fluids, and grease	Oil and grease, arsenic, lead, cadmium, chromium, COD, and benzene
Vehicle fueling	Diesel fuel	Diesel, gasoline, oil

Clean Water Action will ask the Court to ensure UFP's future compliance with the Act, assess civil penalties in an appropriate amount,² award plaintiff its litigation costs, including

² The Act authorizes the Court to assess a penalty of up to \$32,500 a day for each violation up to or including January 12, 2009, *see* 33 U.S.C. § 1319(d), 69 Fed. Reg. 7121 (Feb. 13, 2004), and

UFP Belchertown, LLC
8/8/2013
Page 4

attorney and expert fees, and award any other relief the Court deems appropriate. Clean Water Action's complaint will be filed a minimum of 60 days after the postmark date of this letter. This is a formal 60-day notice of intent to sue that is being served pursuant to 40 C.F.R., Part 135.

This notice is being provided by:

Cindy Luppi, New England Regional Co-Director
Clean Water Action
262 Washington Street, Suite 301
Boston, MA 02108
(617) 338-8131
(617) 335-6449 (fax)

Counsel for Clean Water Action in this case is:
Martin E. Levin
Nora J. Chorover
Stern, Shapiro, Weissberg & Garin, LLP
90 Canal Street, Suite 500
Boston, MA 02114
(617) 742-5800
(617) 742-5858 (fax)

UFP'S VIOLATIONS AND DATES OF VIOLATIONS

UFP's violations are described below and are also set forth on a Table attached as Exhibit B hereto.³ The Complaint, when filed, will set forth additional days of violations that occur between the date of this letter and the date on which the Complaint is filed.

\$37,500 per day of violation for violations after that date. *See* 73 Fed. Reg. 75340 (Dec. 11, 2008).

³ Clean Water Action believes that violations have occurred on the dates identified in this letter and on Exhibit B, and not just on rain days. However, to the extent it is determined that rain days are relevant in determining the dates of violations, such rain dates through July 31, 2013 are set forth on Exhibit C hereto. The complaint, when filed, will set forth additional rain dates since July 31, 2013.

1. Failure to Implement Adequate Control Measures and Corrective Action

The General Permit requires UFP to ensure that its control measures minimize its stormwater pollutant discharges. General Permit, section 2.0 (pg. 12).² UFP must modify its control measures as expeditiously as practicable whenever it finds that they “are not achieving their intended effect of minimizing pollutant discharges.” *Id.*, section 2.1. Corrective action must be taken whenever the results of monitoring show that “an exceedence of the 4 quarter average is mathematically certain.”³ Documentation of corrective action must be included in the annual report.⁴

As shown on the following tables, UFP’s stormwater discharges have been many magnitudes above the Permit’s benchmark levels since it began monitoring in June 2010.

² Minimize” means “reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice.” *Id.*

³ General Permit, pg. 19.

⁴ *Id.*

TABLE OF MONITORING RESULTS for COPPER, TSS and COD

OUTFALL #1:

Monitoring Date	Copper (Benchmark .0038 mg/L)	TSS (Benchmark: 100 mg/L)	COD (Benchmark: 120 mg/L)
6/1/10	.127	438	79
9/8/10	.189	260	240
12/1/10	.0325	1810	230
3/11/11	.097	408	91
6/22/11	.164	2020	360
8/15/11	.079	718	120
10/27/11	.019	174	16
Jan-Mar 2012	Not monitored or reported	Not monitored or reported	Not monitored or reported
4/23/12	.105	572	140
9/6/12	.054	194	48
Oct-Dec 2012	Not monitored or reported	Not monitored or reported	Not monitored or reported
Jan-Mar 2013	Not monitored or reported	Not monitored or reported	Not monitored or reported

OUTFALL #2:

Monitoring Date	Copper (Benchmark: .0038 mg/L)	TSS (Benchmark: 100 mg/l)	COD (Benchmark: 120.mg/L)
4/23/12	1.44	2820	380
9/6/12	.645	1310	170
Oct-Dec 2012	Not monitored or reported	Not monitored or reported	Not monitored or reported
Jan-Mar 2013	Not monitored or reported	Not monitored or reported	Not monitored or reported

The presence and persistence of these exceedences shows that the company has not complied with its requirement to “modify” its control measures “as expeditiously as practicable” to minimize its pollutant discharges.⁵ UFP has been under an obligation to take corrective action since as early as June 2010. Any corrective action taken to date has been inadequate to comply with the permit’s requirement to minimize stormwater pollutant discharges.

This Notice Letter alleges that UFP Recycling failed to implement adequate control measures and corrective action based on information presently available to Clean Water Action. If additional information regarding this violation becomes known to Clean Water Action in the future, the complaint may set forth some or all of such additional information.

2. Failure to Comply with the Permit’s Monitoring Requirements

UFP is required to monitor its discharges in accordance with the specific provisions of section 6 of the General Permit (pgs. 33-40) and Appendix B, section B. This includes monitoring for benchmark parameters and effluent limitations guidelines applicable to Timber Products facilities. General Permit, sections 8.A.6 and 8.A.7. UFP was required to monitor for the presence of Chemical Oxygen Demand (“COD”), Total Arsenic, Total Suspended Solids (“TSS”), and Copper, in its stormwater discharges for each quarter commencing with the April 1, 2010, to June 30, 2010, quarter. Quarterly monitoring is required to continue until four consecutive quarterly samples show that the company’s discharges are below the applicable EPA benchmark levels.⁶ UFP violated these monitoring requirements by failing to monitor during the following quarters: January-March 2012; October-December 2012; and January-March 2013.

⁵ Moreover, the Permit requires the company to implement corrective action as set forth in Section 3.2 whenever the average of 4 quarterly sample results exceeds an applicable benchmark. If less than 4 benchmark samples have been taken, but the results are such that an exceedence of the 4 quarter average is mathematically certain, this is considered a benchmark exceedence immediately triggering the requirement that UFP review its control measures and take corrective action. To the extent corrective action was taken by UFP following the triggering of this event, such corrective action was inadequate, as shown by the fact that benchmark exceedences have persisted.

⁶ The benchmark levels applicable to UFP’s discharges are as follows: COD: 120 mg/L; Total Arsenic: .15 mg/L; TSS: 100 mg/L; Total Copper (based on reported water hardness): .0038 mg/L. See General Permit, section 8.A.6. Permit conditions applicable to permittees in Massachusetts, such as UFP, require that benchmark monitoring continue until all four of the quarterly monitoring samples meet the benchmark levels. General Permit, Section 9.1.2.5.

To the extent additional monitoring violations become known to Clean Water Action before the action is filed, the complaint will seek remedy for such additional monitoring violations. To the extent additional monitoring violations are learned through discovery in the action, the complaint will be amended to seek remedy for such additional monitoring violations.⁷

3. Failure to Comply with the Permit's Reporting Requirements.

UFP is required to report certain information to EPA and the Massachusetts Department of Environmental Protection ("Mass DEP") regarding its stormwater discharges in accordance with the provisions of Section 7 of the Permit. Among other things, UFP must submit quarterly benchmark monitoring data to EPA. See General Permit, section 7.1.⁸ Benchmark monitoring reports were to have been filed with EPA 30 days following receipt of monitoring results. As set forth on Exhibit B, UFP failed to comply with this requirement by failing to submit a quarterly benchmark monitoring report to EPA for the the following quarters: January 1, 2012, to March 31, 2012; October 1, 2012, to December 31, 2012; and January 1, 2013, to March 31, 2013.

To the extent additional reporting violations become known to Clean Water Action before the action is filed, the complaint will seek remedy for such additional reporting violations. To the extent additional reporting violations are learned through discovery in the action, the complaint will be amended to seek remedy for such additional reporting violations.⁹

⁷ Additional discovered monitoring violations may include, without limitation: failure to ensure representative sampling (General Permit, App. B, section B(1)(A), pg. B-5); failure to monitor from all facility outfalls (*id.*, section 6.1.1, pg. 33); failure to monitor during a measurable storm event following the preceding storm by at least 3 days (*id.*, section 6.1.3, pg. 33); failure to conduct monitoring in accordance with test procedures approved under 40 CFR Part 136 (*id.*, App. B, section B(10), pg. B-6); failure to sample within the first 30 minutes of a measurable storm event (*id.*, section 6.1.4, pg. 34); or failure to monitor compliance with effluent limits as required if any of UFP's discharges result from spray down or intentional wetting of logs at wet deck storage areas. See General Permit, sections 2.1.3 & 8.A.7.

⁸ If the data contains any exceedences of benchmarks, it must also be submitted to Mass DEP. See General Permit, Section 9.1.2.4.

⁹ Additional discovered reporting violations may include, without limitation, failure to submit all reporting data to EPA no later than 30 days after receipt of laboratory results (General Permit, section 7.1).

UFP Belchertown, LLC

8/8/2013

Page 9

CONCLUSION

Clean Water Action believes this Notice of Violations and Intent to File Suit sufficiently states the basis for a civil action. During the 60-day notice period, we would be willing to discuss effective remedies for the violations noted in this letter that may avoid the necessity of litigation. If you wish to pursue such discussions, please have your attorney contact us within the next 20 days so that negotiations may be completed before the end of the 60-day notice period. We do not intend to delay the filing of a complaint in federal court if discussions are continuing when that period ends.

Sincerely,

A handwritten signature in black ink that reads "Martin E. Levin (nsc)".

Martin E. Levin

Nora J. Chorover

Attorneys for

CLEAN WATER ACTION

UFP Belchertown, LLC

8/8/2013

Page 10

cc: (by certified mail)

Curt Spalding, Regional Administrator
EPA New England, Region 1,
5 Post Office Square, Ste. 100
Boston MA 02109
Certified Mail # 7011 1150 0000 0301 2662

Gina McCarthy, Administrator
US EPA Headquarters
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Certified Mail # 7011 1150 0000 0301 2617

Eric Holder, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Certified Mail # 7011 1150 0000 0301 2624

Kenneth L. Kimmell, Commissioner
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108
Certified Mail # 7009 2250 0002 3043 2821

Exhibit A

NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH
INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT

Submission of this completed Notice of Intent (NOI) constitutes notice that the operator identified in Section B of this form requests authorization to discharge pollutants to waters of the United States from the facility or site identified in Section C under EPA's NPDES Stormwater Multi-Sector General Permit (MSGP) for industrial stormwater. Submission of this NOI constitutes your notice to EPA that the facility identified in Section C of this form meets the eligibility conditions of Part 1.1 of the MSGP. Please read and make sure you comply with all eligibility requirements, including the requirement to prepare a stormwater pollution prevention plan. Refer to the instructions at the end of this form to complete your NOI.

A. Permit
Number:

MAR0500000

(see Appendix C of the MSGP for the list of
eligible permit numbers)

Tracking Number (EPA Use Only):

MAR05DE21

B. Facility Operator Information

1. Name: UFP BELCHERTOWN, LLC

2. IRS Employer Identification Number (EIN): 27 - 1498572

3. Mailing Address:

a. Street: 2801 EAST BELTLINE NE

b. City: GRAND RAPIDS

c. State: MI d. Zip Code: 49525

e. Phone: 616 - 364 - 6161 f. Fax (optional):

g. E-mail: KSPENCE@UFPI.COM

C. Facility Information

1. Facility Name: UFP BELCHERTOWN, LLC

2. Have stormwater discharges from your site been covered previously under an NPDES permit? ☒ YES ☐ NOa. If yes, provide the Tracking Number if you had coverage under EPA's MSGP 2000
or the NPDES permit number if you had coverage under an EPA individual permit.

MAR05B610

b.1 If no, was your facility in operation and discharging stormwater prior to October 30, 2005? ☐ YES ☐ NOb.2 If no to C.2.b.1, did your facility commence discharging after October 30, 2005 and before January 5, 2009? ☐ YES ☐ NO

3. Location Address:

a. Street: 155 BAY RD.

b. City: BELCHERTOWN

c. County or similar government subdivision: HAMPSHIRE

d. State: MA e. Zip Code: 01007

f. Latitude: (use any one of the three formats)
1. 42° 17' 52" N (degrees, minutes, seconds)
2. ° ' " N (degrees, minutes, decimal)
3. ° N (degrees decimal)g. Longitude: (use any of these 3 formats)
1. 072° 25' 32" W (degrees, minutes, seconds)
2. ° ' " W (degrees, minutes, decimal)
3. ° W (degrees decimal)h. Lat/Long Data Source: ☐ USGS topographic map ☐ EPA web site ☐ GPS ☒ Other: GOOGLE EARTH

If you used a USGS topographic map, what was the scale?

4. Estimated area of industrial activity at your site exposed to stormwater: 10 (acres)

5. Is this a federal facility? ☐ YES ☒ NO6. Is your facility located on Indian Country lands? ☐ YES ☒ NO

If yes, name of reservation, or if not part of a reservation, put "Not Applicable:"

D. Discharge information

1. Does your facility discharge stormwater into a Municipal Separate Storm Sewer System (MS4)? ☐ YES ☒ NO

If yes, name of MS4 operator:

2. Receiving Waters and Wetlands (Note: If additional space is needed for this question, fill out Attachment 1.)

a. What is the name(s) of your receiving water(s) that receive stormwater directly and/or through an MS4)? If your receiving water is impaired then identify the name of the impaired segment, if applicable, in parentheses following the receiving water name.	b. Are any of your discharges directly into any segment of an "impaired" water?	If you answered yes to question D.2.b, then answer the following three questions:					
		b.1. What pollutant(s) are causing the impairment?	b.2. Are the pollutant(s) causing the impairment present in your discharge?		b.3. Has a TMDL been completed for the pollutant(s) causing the impairment?		
Batchelor Brook	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	

3. Water Quality Standards (for new dischargers only)

a. Are any of your discharges into any portion of a receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)? ☐ YES ☐ NO

b. Has the receiving water(s) been designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding Natural Resource Water)? ☐ YES ☐ NO

4. Federal Effluent Limitation Guidelines and Sector-Specific Requirements

a. Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? ☐ YES ☒ NO

40 CFR Part/Subpart	Eligible Discharges	Affected MSGP Sector	Check if Applicable
Part 411, Subpart C	Runoff from material storage piles at cement manufacturing facilities	E	<input type="checkbox"/>
Part 418 Subpart A	Runoff from phosphate fertilizer manufacturing facilities that comes into contact with any raw materials, finished product, by-products or waste products (SIC 2874)	C	<input type="checkbox"/>
Part 423	Coal pile runoff at steam electric generating facilities	O	<input type="checkbox"/>
Part 429, Subpart I	Discharges resulting from spray down or intentional wetting of logs at wet deck storage areas	A	<input type="checkbox"/>
Part 436, Subpart B, C, or D	Mine dewatering discharges at crushed stone mines, construction sand and gravel mines, or industrial sand mines	J	<input type="checkbox"/>
Part 443, Subpart A	Runoff from asphalt emulsion facilities	D	<input type="checkbox"/>
Part 445, Subparts A & B	Runoff from hazardous waste and non-hazardous waste landfills	K, L	<input type="checkbox"/>

c. If you are a Sector S (Air Transportation) facility, do you anticipate using more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis? ☐ YES ☒ NO

5. Identify the 4-digit Standard Industrial Classification (SIC) code or 2-letter Activity Code that best represents the products produced or services rendered for which your facility is primarily engaged, as defined in MSGP:

Primary SIC Code: 2491 OR Primary Activity Code

6. Identify the applicable sector(s) and subsector(s) of industrial activity, including co-located industrial activity, for which you are requesting permit coverage:

a. Sector Subsector

b. Sector Subsector

c. Sector Subsector

d. Sector Subsector

e. Sector Subsector

f. Sector Subsector

7.a. Is your site presently inactive and unstaffed? ☐ YES ☒ NO

b1. If yes, is your site expected to be inactive and unstaffed for the entire permit term? ☐ YES ☐ NO

b2. If you select "no" in 7.b1 above, then indicate the length of time that you expect your facility to be inactive and unstaffed _____

E. Stormwater Pollution Prevention Plan (SWPPP) Contact Information

1a. SWPPP Contact Name:

K e l l e y S p e n c e

b. Phone:

- - - - -

Ext.

- - -

c. E-mail: kspence@ufpi.com

2. URL of SWPPP (if applicable):

F. Endangered Species Protection

1. Using the instructions in Appendix E of the MSGP, under which criterion listed in Part 1.1.4.5 are you eligible for coverage under this permit?

☒ A ☐ B ☐ C ☐ D ☐ E ☐ F

2. If you select criterion E from Part 1.1.4.5:

a. What federally-listed species or federally-designated critical habitat are in your "action area?"

b. List the pollutants expected to be present in your discharge

c. If you are an existing discharger, do you have effluent monitoring data from EPA's MSGP 2000, or another previous NPDES permit? ☐ YES ☐ NOc.1 If no, why not? ☐ No monitoring required for my sector ☐ Inactive/unstaffed site ☐ Other

c.2 Do you have any other data characterizing pollutants in your stormwater (describe)?

c.3 If you have benchmark monitoring data, did you exceed any of the applicable benchmarks? ☐ YES ☐ NOc.4 Did you exceed any applicable effluent limitation guideline or cause or contribute to an exceedance of a State or Tribal water quality standard? ☐ YES ☐ NO

c.5 If you answered "yes" to either question F.2.c.3 or F.2.c.4 above, for what pollutant(s)?

d. Attach documentation supporting criterion E eligibility. Documentation should address species and habitat listed in F.2.a and the potential effects of pollutants listed in F.2.b (including any monitoring data for these pollutants) on the listed species and habitat.

3. If you select criterion F from Part 1.1.4.5, provide the operator's NPDES Tracking Number under which you are certifying eligibility:

- - - - -

G. Historic Preservation

Using the instructions in Appendix F of the MSGP, under which criterion listed in Part 1.1.4.6 are you eligible for coverage under this permit?

☒ A ☐ B ☐ C ☐ D**H. Certifier Name and Title**

I certify under penalty of law that I meet the eligibility conditions of this permit and that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Print Name:

M A T T H E W J M I S S A D

Title:

S e c r e t a r y

Signature: MATTHEW J MISSAD

Date: 030110

E-mail: MMISSAD@UFPI.COM

NOI Preparer (Complete if NOI was prepared by someone other than the certifier)

Prepared by:

K e l l e y S p e n c e

Organization:

- - - - -

Phone:

- - - - -

Ext.

- - -

E-mail: kspence@ufpi.com

Instructions for Completing the Notice of Intent for Stormwater Discharges Associated with INDUSTRIAL ACTIVITY under the Multi-Sector General Permit (MSGP)

NOI Submittal Deadlines/Discharge Authorization Dates		
Category	NOI Deadline	Discharge Authorization Date ¹
Existing Dischargers - in operation as of October 30, 2005 and authorized for coverage under MSGP 2000.	No later than January 5, 2009.	30 days after EPA posts your NOI. Your authorization under the MSGP 2000 is automatically continued until you have been granted coverage under this permit or an alternative permit, or coverage is otherwise terminated.
New Dischargers or New Sources - have commenced discharging between October 30, 2005 and January 5, 2009.	As soon as possible but no later than January 5, 2009.	30 days after EPA posts your NOI.
New Dischargers or New Sources - commence discharging after January 5, 2009.	A minimum of 60 days prior to commencing operation of the facility, or a minimum of 30 days if your SWPPP is posted on the Internet during this period and the Internet address (i.e., URL) to your SWPPP is provided on the NOI form.	If you post your SWPPP on the Internet, 30 days after EPA posts your NOI. Otherwise, 60 days after EPA posts your NOI.
New Owner/Operator of Existing Discharger - transfer of ownership and/or operation of a facility whose discharge is authorized under this permit	A minimum of 30 days prior to date that the transfer will take place to the new owner/operator.	30 days after EPA posts your NOI.
Other Eligible Dischargers - in operation prior to October 30, 2005 but not covered under the MSGP 2000 or another NPDES permit.	Immediately, to minimize the time discharges from the facility will continue to be unauthorized.	If you post your SWPPP on the Internet, 30 days after EPA posts your NOI. Otherwise, 60 days after EPA posts your NOI.

¹Based on a review of your NOI or other information, EPA may delay your authorization for further review, notify you that additional effluent limitations are necessary, or may deny coverage under this permit and require submission of an application for an individual NPDES permit, as detailed in MSGP Part 1.6. In these instances, EPA will notify you in writing of the delay or the request for submission of an individual NPDES permit application. EPA will post these NOIs on its website at www.epa.gov/npdes/enoi.

Who Must File a Notice of Intent with EPA?

Under section 402(p) of the Clean Water Act (CWA) and regulations at 40 CFR Part 122, stormwater discharges associated with industrial activity are prohibited to waters of the United States unless authorized under a National Pollutant Discharge Elimination System (NPDES) permit. You can obtain coverage under the MSGP by submitting a completed NOI if you operate a facility:

- that is located in a jurisdiction where EPA is the permitting authority, listed in Appendix C of the MSGP,
- that discharges stormwater associated with industrial activities, identified in Appendix D of the MSGP,
- that meets the eligibility requirements in Part 1.1 of the permit,
- that develops a stormwater pollution prevention plan (SWPPP) in accordance with Part 5 of the MSGP; and
- that installs and implements control measures in accordance with Part 2 to meet numeric and non-numeric effluent limits.

If you are unsure if you need an NPDES stormwater permit, contact your EPA or State NPDES stormwater permit program. Contacts are listed at www.epa.gov/npdes/stormwatercontacts.

One NOI must be submitted for each facility or site for which you are seeking permit coverage. You do not need to submit separate NOIs for each type of industrial activity present at your facility, provided your SWPPP covers all activities.

When to File the NOI Form

Do not file your NOI until you have obtained and thoroughly read a copy of the MSGP. A copy of the MSGP is located on the EPA website (www.epa.gov/npdes/stormwater/msgp). The MSGP describes procedures to ensure your eligibility, prepare your SWPPP, install and implement appropriate stormwater control measures, and complete the NOI form questions – all of which must be done before you sign the NOI certification statement attesting to the

accuracy and completeness of your NOI. You will also need a copy of the MSGP once you have obtained coverage so that you can comply with the implementation requirements of the permit.

Where to File the NOI Form

EPA encourages you to complete the NOI form electronically via the Internet. EPA's Electronic Notice of Intent System (eNOI) can be found at www.epa.gov/npdes/enoi. Filing electronically is the fastest way to obtain permit coverage and help ensure that your NOI is complete. If you choose not to file electronically, you must send the NOI to one of the addresses listed below.

NOIs sent regular mail:

Stormwater Notice Processing Center (4203M)
USEPA
1200 Pennsylvania Avenue, NW
Washington, DC 20460

NOIs sent overnight/express mail:

Stormwater Notice Processing Center
EPA East Building, Rm. 7420
1201 Constitution Avenue, NW
Washington, DC 20004
202-564-9545

If you have questions, please contact EPA's Stormwater Notice Processing Center toll free at (866) 352-7755.

- If you file a paper NOI, please submit the original with a signature in ink – Do Not Send Copies. Also, faxed copies will not be accepted.
- Your SWPPP does not need to be submitted for review unless specifically requested by EPA or as otherwise required in Part 9 of the MSGP (State, Territory, and Tribal requirements). You must keep a copy of your SWPPP on-site or otherwise make it available to facility personnel responsible for implementing provisions of the permit.

Completing the NOI Form

To complete this form, type or print in uppercase letters in the appropriate areas only. Please make sure you complete all questions. Make sure you make a photocopy for your records before you send the completed original form to the address above. You may also use this paper form as a checklist for the information you will need when filing an NOI electronically via EPA's eNOI system.

Section A. Permit Number

Appendix C of the MSGP 2008 contains a list of geographic areas covered by the permit. If your facility is located in one of the listed areas, include the appropriate permit number in this section. (For example, if your facility is located in Massachusetts, and not on Indian Lands, you would write MAR050000 in this space.) If your facility is located in an area not covered by the MSGP, please contact your EPA Region, state or territorial NPDES stormwater coordinator (see www.epa.gov/npdes/stormwatercontacts for a list of contacts).

Section B. Facility Operator Information

1. Provide the legal name of the person, firm, public organization or any other public entity that operates the facility described in this application. An operator of a facility is a legal entity that controls the operation of the facility.
2. Provide the Employer Identification Number (EIN from the Internal Revenue Service (IRS)), commonly referred to as your taxpayer ID number. If the operator does not have an EIN, enter "NA" in the space provided.
3. Provide the operator's mailing address, telephone number, fax number (optional), and email address. Correspondence will be sent to this address.

Section C. Facility Information

1. Enter the facility's official or legal name. Unless the name of your facility has changed, please use the same name provided on prior NOIs or permit applications. You can use EPA's NOI Search website (www.epa.gov/npdes/noisearch) to view your previous NOI.
2. Indicate if industrial stormwater discharges from your facility were previously covered by an NPDES permit.
 - 2a. If your facility was covered by EPA's MSGP-2000, please include the tracking number that you received in your confirmation letter or email from EPA's Stormwater Notice Processing Center. You can find the tracking number assigned to your previous NOI on EPA's NOI Search website (www.epa.gov/npdes/noisearch).
 - 2b.1. If your facility was not previously covered by an NPDES permit and discharged industrial stormwater, then indicate if it was in operation before October 30, 2005 and not covered under the MSGP 2000. If you select "yes" to this question then you have a 30 day waiting period before you are authorized to discharge.
 - 2b.2. If you select "no" in C.2.b.1, then indicate if your facility discharged stormwater between October 30, 2005 and January 5, 2009. If you select "yes" to this

question then you have a 30 day waiting period before you are authorized to discharge. If you select "no" to this question and you post your SWPPP on the Internet and provide EPA the URL in E.2, then you have a 30 day waiting period before you are authorized to discharge. If you select "no" to this question, but do not post your SWPPP on the Internet and therefore do not answer E.2, then you have a 60 day waiting period before you are authorized to discharge.

- 3.a-e. Enter the street address, including city, state, zip code, county or similar government subdivision of the actual physical location of the facility. Do not use a P.O. Box.
- 3.f-g. Provide the facility latitude and longitude in one of three formats: (1) degrees, minutes, seconds; (2) degrees, minutes, decimal; or (3) degrees decimal. You can obtain your facility's latitude and longitude through Global Positioning System (GPS) receivers, U.S. Geological Survey (USGS) quadrangle or topographic maps, and EPA's web-based siting-tools, among other methods. Refer to www.epa.gov/npdes/stormwater/msgp for guidance on the use of these methods. For consistency, EPA requests you take measurements from the location of your facility's stormwater outfall. Outfalls are locations where the stormwater exits the facility, including pipes, ditches, swales, and other structures that transport stormwater. If there is more than one outfall present, measure at the primary outfall (i.e., the outfall with the largest volume of stormwater discharge associated with industrial activity).
- 3.h. Identify the data source that you used to determine the facility latitude and longitude. If you did not use a USGS quadrangle or topographic map, the EPA website, or GPS receivers, then select "Other" and write the method used on the line provided. If you used a USGS quadrangle or topographic map, write the map scale on the line provided. Scale should be identified on the map.
4. Enter the estimated area of industrial activity at your site exposed to stormwater, in acres.
5. Indicate if the facility is considered a "federal facility" - Federal facilities include any buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned or leased by the federal government.
6. Indicate whether the facility is located in Indian Country, and, if so, provide the name of the reservation, if applicable.

Section D. Discharge Information

1. Indicate whether stormwater from your site will be discharged into a municipal separate storm sewer system (MS4). An MS4 is a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, storm drains, curbs and gutters, ditches and man-made channels, owned or operated by a state, city, town, borough, county, parish, district, association or other public body, used to collect or convey stormwater. If you check "Yes" then identify the name of the MS4 operator on the line provided. If you are uncertain of the MS4 operator, contact your local government for that information. MS4s are different than combined sewers, which are designed to convey both stormwater and sanitary wastewater. Discharges to combined sewers do not require an NPDES permit but may be subject to other CWA requirements (contact the combined sewer operator for more information).
2. Enter information regarding your discharge. If additional space is needed fill out Attachment 1.
- 2a. Indicate in column "a" of the table the name(s) of the receiving water(s) into which stormwater from your facility will discharge. Also provide in parentheses the name of the impaired water (and segment, if applicable) into which your stormwater is discharged. If you identified more than one receiving water for your facility, indicate the first receiving water and complete question 2b and 2.b.1-3 (if applicable), before entering the next receiving water. The EPA's Water Locator Tool can help you identify the closest receiving water to your facility (www.epa.gov/npdes/msgp). Your receiving water may be a lake, stream, river, ocean, wetland or other waterbody, and may or may not be located adjacent to your facility. Your stormwater may discharge directly to the receiving water or indirectly via a storm sewer system, an open drain or ditch, or other conveyance structure. Do NOT list a man-made conveyance, such as a storm sewer system, as your receiving water. Indicate the first receiving water your stormwater discharge enters. For example, if your discharge enters a storm sewer system, that empties into Trout Creek, which flows into Pine River, your receiving water is Trout Creek, because it is the first waterbody your discharge will reach. Similarly, a discharge into a ditch that feeds Spring Creek should be identified as "Spring Creek" since the ditch is a manmade conveyance. If you discharge into a municipal separate storm sewer system (MS4), you must identify the waterbody into which that portion of the storm sewer discharges. That information should be readily available from the operator of the MS4.
- 2b. Indicate in column "b" of the table whether you discharge directly to an impaired water (lake, stream segment, estuary, etc), listed as "impaired" under section 303(d) of the Clean Water Act. Each state water quality agency maintains a list of waters that are impaired. Most state agencies publish these lists online. The EPA's Water Locator Tool may also help you identify if the nearest receiving water is impaired (www.epa.gov/npdes/msgp). If you discharge into a stream

segment that is upstream of a listed impaired water but which is not itself on the State's impaired waters list, answer "no" to this question. In this case, requirements in the MSGP for discharges into impaired waters do not apply to you, unless notified otherwise by EPA.

Answer the following three questions only if you answered "Yes" to D.2.b:

- 2b1. Provide the pollutant(s) listed as causing the impairment in the water identified in D.2.b.1 above. Enter each pollutant individually on a separate row in the table.
- 2b2. Out of the pollutant(s) that you identified in D.2.b.1 above, indicate which pollutants you believe will be present in your discharge. If you do not expect the pollutant(s) to be in your discharge, then select "no."
- 2b3. Indicate the pollutant(s) that have a Total Maximum Daily Load (TMDL) for the impaired stream segment that you identified in D.2.b.2 above. Check with your state water quality agency for lists of waters with approved or established TMDLs. See www.epa.gov/npdes/msgp for more information.
3. Water Quality Standards
- 3a. If you selected "no" in C.2 indicating that stormwater discharges from your facility have not been previously covered under an NPDES permit, then you are considered a new discharger and must answer this question; otherwise you are considered an existing discharger and may skip this question. State water quality agencies are responsible for setting water quality standards for waters within the state's boundaries. Check EPA's website (www.epa.gov/npdes/msgp) to determine if the water(s) that you discharge into are designated as a "Tier 2 (or Tier 2.5) water" (See Appendix A of the MSGP 2008 for definitions of "Tier 2 water" and "Tier 2.5 water"). If you discharge into these waters, EPA may impose additional permit conditions to ensure that you do not violate the State's antidegradation policy.
- 3.b. Identify whether your receiving water is designated as a Tier 3 waterbody. Go to www.epa.gov/npdes/msgp for a list of Tier 3 waterbodies. Note that new discharges into designated Tier 3 waters are not eligible for coverage under the MSGP 2008.
4. Federal Effluent Limitation Guidelines and Sector-Specific Requirements
- 4.a-b. Depending on your industrial activities, your facility may be subject to effluent limitation guidelines which include additional effluent limits and monitoring requirements for your facility. Please review these requirements, described in Part 2.1.3 of the MSGP, and check any appropriate boxes on the NOI form.
- 4.c. For Sector S facilities (Air Transportation), indicate whether you anticipate that the entire airport facility will use more than 100,000 gallons of glycol-based deicing/anti-icing chemicals and/or 100 tons or more of urea on an average annual basis. If so, additional effluent limits and monitoring conditions apply to your discharge (see Part 8 Sector S of the MSGP 2008).
5. List the four-digit Standard Industrial Classification (SIC) code and/or two character activity code that best describes the primary industrial activities performed by your facility under which you are required to obtain permit coverage. Your primary industrial activity includes any activities performed on-site which are (1) identified by the facility's one SIC code for which the facility is primarily engaged; and (2) included in the narrative descriptions of 40 CFR 122.26(b)(14)(i), (iv), (v), or (vii), and (ix). See Appendix D of the MSGP for a complete list of SIC codes and activities codes.
6. If your site has co-located industrial activities that are not identified as your primary industrial activity, identify the sector and subsector codes that describe these other industrial activities. For a complete list of sector and subsector codes, see Appendix D of the MSGP.
- 7.a-b. Indicate whether your facility is currently inactive and unstaffed. If so then indicate whether your facility will be inactive and unstaffed for the entire permit term, or if not, specify the specific length of time in units of days, weeks, months, or years (e.g. 3 months) that you expect the facility to be inactive and unstaffed.

Section E. Facility Contact Information and SWPPP Location

- 1.a-c. Identify the name, telephone number, and email address of the person who will serve as a contact for EPA on issues related to stormwater management at your facility. This person should be able to answer questions related to stormwater discharges, the SWPPP, and other issues related to stormwater permit coverage, or have immediate access to individuals with that knowledge. This person does not have to be the facility operator, but should have intimate knowledge of stormwater management activities at the facility.
2. If you are making your Stormwater Pollution Prevention Plan publicly available on a website provide the appropriate Internet URL address. (Please note that by posting your SWPPP on the web, you may qualify for a shortened authorization waiting period. See Table 1-2 of the MSGP for more information.)

Section F. Endangered Species Protection

1. Based on the instruction provided in Appendix E of the MSGP 2008, indicate which permit criterion (A,B,C,D,E, or F) listed in Part 1.1.4.5 you are using to satisfy your eligibility obligations for protection of endangered and threatened species, and designated critical habitat.

- 2.a. If you select criterion E (not likely to adversely affect), list those federally-listed endangered or threatened species and any federally-listed designated critical habitat expected to exist in proximity to your facility.
- 2.b. List the pollutants that you expect to be present in your stormwater discharge. Include any pollutants that you may have included in D.2.b.3 above.
- 2.c. If you selected "yes" in C.2 then you are considered an existing discharger and must answer all the questions in F.2.c.1-5; otherwise you are considered a new discharger and may skip the questions under F.2.c. If you are an existing discharger who was previously covered under the MSGP 2000, indicate whether you have any previous effluent monitoring data.
- 2.c1-2. If you select "No," to F.2.c then indicate why you don't have any data. Also indicate if you have any other data characterizing pollutants in your stormwater discharge.
- 2.c.3. If you select "Yes," to F.2.c then indicate whether you exceeded any benchmark.
- 2.c.4. Indicate whether you have exceeded any applicable effluent limitation guideline, or caused or contributed to an exceedance of state or tribal water quality requirement(s).
- 2.c.5. If you select "Yes" to F.2.c.3 and/or F.2.c.4 then indicate the pollutant parameters for which you exceeded the benchmark, applicable effluent limitation guideline, or State or Tribal water quality requirement(s).
- 2.d. Attach your supporting rationale for your determination of the applicability of Criterion E for your facility (applies to both new and existing dischargers). Your documentation should address species and habitat listed in F.2.a and the potential effects of pollutants listed in F.2.b on the listed species and habitat. This should include consideration of any available data characterizing pollutants in your stormwater discharge, or in the discharge of similar facilities if data for your facility is not available, that may be of concern to listed species.
3. If you select Criterion F (already addressed in another operator's valid certification), provide the tracking number that the operator received in their confirmation letter or email from EPA's NOI Processing Center (see Appendix E). You can find the tracking number assigned to your previous NOI on EPA's NOI Search website (www.epa.gov/npdcs/noisearch). An example where criterion F may apply includes airports where several individual airlines have applied for coverage under the MSGP, and the entire airport also has applied for or obtained coverage. If the airport has already certified under Appendix E, and that certification addresses any potential impacts from the individual airlines, then the airlines may reference the airport's permit tracking number.

Section G. Historic Preservation

Based on the instruction provided in Appendix F of the MSGP 2008, indicate which permit criterion (A, B, C, or D) listed in Part 1.1.4.6 of the MSGP you used to satisfy your eligibility obligations for protection of historic properties.

Section H. Certification

Certification statement and signature (see Section B.11 of Appendix B of the MSGP for more information). Enter certifier's printed name, title and email address. Sign and date the form. (CAUTION: An unsigned or undated NOI form will prevent the granting of permit coverage.) Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

For a corporation: by a responsible corporate officer, which means:

- (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
- (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipal, State, Federal, or other public facility: by either a principal executive or ranking elected official.

If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, phone number and email address of the NOI preparer.

Paperwork Reduction Act Notice

Public reporting burden for this certification is estimated to average 3.7 hours per certification, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose to provide

information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Director, Office of Environmental Information Services, Collection Services Division (2823), USEPA, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. Include the OMB control number of this form on any correspondence. Do not send the completed NOI form to this address.

EXHIBIT B

UFP VIOLATIONS

Type of Violation	Parameters	Beginning Date of Violation	Earliest End Date of Violation
Failure to Monitor for Compliance with Benchmark Limits	TSS	March 31, 2011	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	TSS	April 30, 2011	The present
Failure to Monitor for Compliance with Benchmark Limits	Total Copper	March 31, 2011	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	Total Copper	April 30, 2011	The present
Failure to Monitor for Compliance with Benchmark Limits	COD	March 31, 2011	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	COD	April 30, 2011	The present
Failure to Monitor for Compliance with Benchmark Limits	TSS	December 31, 2012	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	TSS	January 31, 2013	The present
Failure to Monitor for Compliance with Benchmark Limits	Total Copper	December 31, 2012	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	Total Copper	January 31, 2013	The present
Failure to Monitor for Compliance with Benchmark Limits	COD	December 31, 2012	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	COD	January 31, 2013	The present
Failure to Monitor for Compliance with Benchmark Limits	TSS	March 31, 2013	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	TSS	April 30, 2013	The present
Failure to Monitor for Compliance with Benchmark Limits	Total Copper	March 31, 2013	The present
Failure to Report on Monitoring for Compliance with Benchmark Limits	Total Copper	April 30, 2013	The present
Failure to Monitor for Compliance with Benchmark Limits	COD	March 31, 2013	The present

Type of Violation	Parameters	Beginning Date of Violation	Earliest End Date of Violation
Failure to Report on Monitoring for Compliance with Benchmark Limits	COD	April 30, 2013	The present
Failure to Minimize Pollutants and Implement Adequate Corrective Action	COD	December 1, 2010	The present
Failure to Minimize Pollutants and Implement Adequate Corrective Action	TSS	June 1, 2010	The present
Failure to Minimize Pollutants and Implement Adequate Corrective Action	Total Copper	June 1, 2010	The present

Exhibit C

EXHIBIT C

DAYS BETWEEN APRIL 1, 2010 AND JULY 31, 2013 ON WHICH STORMWATER FROM FACILITY DISCHARGED TO WATERS OF THE UNITED STATES

April 2010:	10, 17, 18
May 2010:	8, 9, 14, 19, 20, 27
June 2010:	2, 5, 7, 10, 11, 13, 17, 23
July 2010:	11, 17, 20, 24, 25
August 2010:	10, 16, 17, 23, 25
September 2010:	17, 28
October 2010:	1, 2, 7, 14, 15, 22, 27, 28
November 2010:	5, 6, 8, 17, 26
December 2010:	2, 13, 27
January 2011:	12, 13, 18, 19, 21, 22, 25, 27
February 2011:	2, 3, 6, 8, 21, 25, 26, 27
March 2011:	1, 7, 11, 12, 17, 22
April 2011:	1, 5, 6, 13, 14, 17, 20, 24, 27, 29
May 2011:	5, 8, 16, 17, 18, 19, 20, 21, 23, 24, 25, 31
June 2011:	2, 9, 10, 12, 16, 18, 24, 26, 29
July 2011:	8, 9, 26, 27, 30
August 2011:	2, 5, 7, 8, 10, 11, 15, 16, 22, 26, 28, 29
September 2011:	6, 7, 8, 9, 21, 22, 23, 24, 29, 30
October 2011:	1, 2, 3, 4, 5, 13, 14, 15, 20, 27, 28, 30
November 2011:	11, 17, 23, 30
December 2011:	7, 8, 22, 23, 28, 31
January 2012:	12, 13, 17, 19, 20, 22, 24, 27, 28
February 2012:	17, 25
March 2012:	1, 2, 13
April 2012:	2, 22, 23, 27
May 2012:	2, 3, 8, 9, 10, 15, 16, 17, 30
June 2012:	2, 3, 4, 5, 9, 13, 14, 26
July 2012:	3, 4, 16, 24, 29
August 2012:	2, 6, 10, 11, 13, 15, 16, 18, 28, 29
September 2012:	5, 6, 8, 9, 19, 23, 28, 29
October 2012:	1, 3, 5, 8, 11, 14, 16, 20, 30
November 2012:	13, 14, 28
December 2012:	8, 10, 17, 18, 21, 22, 27, 28, 30
January 2013:	13, 16, 17, 29, 30, 31
February 2013:	1, 11, 12, 20, 27
March 2013:	8, 13, 19, 20,
April 2013:	1, 9, 10, 11, 12, 16, 20, 25

May 2013:	9, 10, 12, 16, 20, 22, 24, 25, 26, 29, 30
June 2013:	3, 4, 7, 8, 11, 12, 14, 18, 19, 25, 28, 29
July 2013:	8